

STATE OF SOUTH CAROLINA

(Caption of Case)

Application of Mobilitie, LLC for a Certificate of Public Convenience and Necessity to Provide Resold and Facilities-Based Local Exchange and Interexchange Telecommunications Services in the State of South Carolina, and for Flexible Regulation

BEFORE THE  
PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA

COVER SHEET

DOCKET  
NUMBER: 2007 - 258 - C

(Please type or print)  
Submitted by: John J. Pringle, Jr.

Address: Ellis, Lawhorne & Sims, PA  
PO Box 2285  
Columbia SC 29202

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NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

☐ Emergency Relief demanded in petition

☐ Request for item to be placed on Commission's Agenda expeditiously

☐ Other:

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)			
<input type="checkbox"/> Electric	<input checked="" type="checkbox"/> Affidavit	<input type="checkbox"/> Letter	<input type="checkbox"/> Request	
<input type="checkbox"/> Electric/Gas	<input type="checkbox"/> Agreement	<input type="checkbox"/> Memorandum	<input type="checkbox"/> Request for Certification	
<input type="checkbox"/> Electric/Telecommunications	<input type="checkbox"/> Answer	<input type="checkbox"/> Motion	<input type="checkbox"/> Request for Investigation	
<input type="checkbox"/> Electric/Water	<input type="checkbox"/> Appellate Review	<input type="checkbox"/> Objection	<input type="checkbox"/> Resale Agreement	
<input type="checkbox"/> Electric/Water/Telecom.	<input type="checkbox"/> Application	<input type="checkbox"/> Petition	<input type="checkbox"/> Resale Amendment	
<input type="checkbox"/> Electric/Water/Sewer	<input type="checkbox"/> Brief	<input type="checkbox"/> Petition for Reconsideration	<input type="checkbox"/> Reservation Letter	
<input type="checkbox"/> Gas	<input type="checkbox"/> Certificate	<input type="checkbox"/> Petition for Rulemaking	<input type="checkbox"/> Response	
<input type="checkbox"/> Railroad	<input type="checkbox"/> Comments	<input type="checkbox"/> Petition for Rule to Show Cause	<input type="checkbox"/> Response to Discovery	
<input type="checkbox"/> Sewer	<input type="checkbox"/> Complaint	<input type="checkbox"/> Petition to Intervene	<input type="checkbox"/> Return to Petition	
<input checked="" type="checkbox"/> Telecommunications	<input type="checkbox"/> Consent Order	<input type="checkbox"/> Petition to Intervene Out of Time	<input type="checkbox"/> Stipulation	
<input type="checkbox"/> Transportation	<input type="checkbox"/> Discovery	<input type="checkbox"/> Prefiled Testimony	<input type="checkbox"/> Subpoena	
<input type="checkbox"/> Water	<input type="checkbox"/> Exhibit	<input type="checkbox"/> Promotion	<input type="checkbox"/> Tariff	
<input type="checkbox"/> Water/Sewer	<input type="checkbox"/> Expedited Consideration	<input type="checkbox"/> Proposed Order	<input type="checkbox"/> Other: _____	
<input type="checkbox"/> Administrative Matter	<input type="checkbox"/> Interconnection Agreement	<input type="checkbox"/> Protest		
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Interconnection Amendment	<input type="checkbox"/> Publisher's Affidavit		
	<input type="checkbox"/> Late-Filed Exhibit	<input type="checkbox"/> Report		

Print Form

Reset Form

# ELLIS:LAWHORNE

Carol Roof  
Direct dial: 803/779-0066  
[croof@ellislawhorne.com](mailto:croof@ellislawhorne.com)

July 25, 2007

## **FILED ELECTRONICALLY AND ORIGINAL VIA 1<sup>ST</sup> CLASS MAIL SERVICE**

The Honorable Charles L.A. Terreni  
Chief Clerk  
SC Public Service Commission  
P.O. Drawer 11649  
Columbia, SC 29211

RE: Application of Mobilitie, LLC for a Certificate of Public Convenience and  
Necessity to Provide Resold and Facilities-Based Local Exchange and  
Interexchange Telecommunications Services in the State of South Carolina  
and For Flexible Regulation  
**Docket No. 2007-258-C, Our File No. 1291-11419**

Dear Mr. Terreni:


Enclosed for filing are two Affidavits of Publication of The State-Record Co, Inc. and  
The Greenville News in the above-referenced proceeding.

Please acknowledge your receipt of this document by file-stamping the copy of this  
letter enclosed, and returning via the United States Postal Service in the envelope provided.

If you have any questions or need additional information, please do not hesitate to  
contact me.

Sincerely,

**ELLIS, LAWHORNE & SIMS, P.A.**



Carol Roof  
Paralegal

cc: Mr. Mark Askelson  
John C. Dodge, Esquire  
enclosures (originals)

**THIS DOCUMENT IS AN EXACT DUPLICATE OF THE E-FILED COPY SUBMITTED TO  
THE COMMISSION IN ACCORDANCE WITH ITS ELECTRONIC FILING  
INSTRUCTIONS.**

# The Greenville News

greenvilleonline.com

RECEIVED

JUL 25 2007

Ellis, Lawhorne  
& Sims, PA

## AFFIDAVIT OF PUBLICATION

I, Susan F. Mullinax, being the legal notice agent for The Greenville News, do hereby testify that the attached legal advertisement was published on 134 lines in The Greenville News on these dates: June 19, 2007.

*Susan Mullinax*

Susan F. Mullinax  
Legal Advertising Representative

*Vanessa M. McElveen*

Vanessa M. McElveen  
Notary Public for State of South Carolina  
My Commission Expires December 1, 2008

4053566 PUBLIC SERVICE OF SOUTH CAROLINA DOCKETING DEPARTMENT NOTICE OF FILING AND HEARING DOCKET NO. 2007-258-C

PLEASE TAKE NOTICE that the above-captioned matter has been scheduled for a hearing on Monday, October 1, 2007, at 10:30 a.m. in the Hearing Room of the Public Service Commission, 101 Executive Center, Columbia, South Carolina 29201. PLEASE BE ADVISED that pursuant to the South Carolina Code of Laws, Section 56-9-280, as amended, the Commission will invoke the "discovery" period allowed for consideration of this matter as a participant in the matter; as a participant in the matter, you have the right of cross-examination; should file a Petition to Intervene in accordance with the Commission's Rules of Practice, August 16, 2007, and indicate the amount of time required for this presentation. Please include an email address for receipt of future Commission correspondence in the Petition to Intervene. Please refer to Docket No. 2007-258-C, who wishes to testify and present evidence at the hearing, and should notify the Docketing Department, in writing, of the address below, the Office of Regulatory Staff at Post Office Box 11649, Columbia, South Carolina 29211, and John J. Pringle, Esquire, at the address below, on or before August 16, 2007, and indicate the amount of time required for his presentation. Please refer to Docket No. 2007-258-C.

Any person who wishes to be notified of any change in the presentation may do so by notifying the Docketing Department, in writing, at the address below on or before August 16, 2007. Please refer to Docket No. 2007-258-C.

PLEASE TAKE NOTICE that any person who wishes to have his or her comments considered as part of the official record of this proceeding, MUST present such comments, in person, to the Commission during the hearing. Persons seeking information about the Commission's procedures should call (803) 896-5100.

Public Service Commission  
Docketing Department  
Post Office Drawer 11649  
Columbia, South Carolina 29211  
JULY 16-07

**NOTICE OF  
FILING AND  
HEARING**

DOCKET NO. 2007-258-C  
Mobilitie, LLC ("Mobilitie" or "Applicant") has filed an Application with the Public Service Commission of South Carolina ("Commission") for a Certificate of Public Convenience and Necessity to provide facilities-based local exchange and interexchange telecommunications service throughout the State of South Carolina, pursuant to S.C. Code Ann. § 58-9-280 and Section 253 of the Telecommunications Act of 1996. More specifically, Mobilitie proposes to offer facilities-based interexchange and local transport services to customers throughout the geographic territory of South Carolina. In addition, Mobilitie seeks authority to provide radio frequency ("RF") or optical transport and backhaul services for voice and data service providers. According to its Application, Mobilitie will provide its service using transport and backhaul linked by fiber optic cables or wireless RF systems with conversion equipment attached to poles and other structures. Mobilitie requests that the Commission regulate its local exchange service in accordance with the principles established for flexible regulation by Order No. 98-165, in Docket No. 97-467-C. A copy of the Application is on file in the offices of the Commission, 101 Executive Center Drive, Columbia, South Carolina 29210, the Commission's website at [www.psc.sc.gov](http://www.psc.sc.gov), and is available from John J. Pringle, Jr., Esquire, Ellis, Lawhorne & Sims, P.A., P.O. Box 2285, Columbia, South Carolina, 29202.

PLEASE TAKE NOTICE a hearing on the above matter has been scheduled to begin at 10:00 a.m. on Monday, October 1, 2007, before Hearing Examiner David Butler, Esquire in the Commission's Law Library at 101 Executive Center Drive, Saluda Building, Columbia, South Carolina 29210. PLEASE BE ADVISED that pursuant to South Carolina Code of Laws - Section 58-9-230, as amended, the Commission will invoke the 120-day period allowed for consideration of this matter.

THE STATE-RECORD CO., INC.  
Columbia, South Carolina  
publisher of  
**The State**

**RECEIVED**

JUL 23 2007

Ellis, Lawhorne  
& Sims, PA

**STATE OF SOUTH CAROLINA  
COUNTY OF RICHLAND**

Personally appeared before me, Peggy Lawrence, Advertising Sales Support Manager of THE STATE, and makes oath that the advertisement,

Notice of Filing and Hearing – Docket No. 2007-258-C – Mobilitie LLC

was inserted in THE STATE, a daily newspaper of general circulation for the S of South Carolina published in the City of Columbia, State and County aforesaid in the issues of

July 20, 2007

*Peggy Lawrence*

Subscribed and sworn to before me

on this day July 20, 2007

*Erlyn F. Harkness*

Notary Public

My commission expires  
March 10, 2013

"Errors- the liability of the publisher on account of errors or omissions from any advertisement will in no way exceed the amount of the charge for the space occupied by the item in error, and then only for the first incorrect insertion."

Any person who wishes to participate in this matter, as a party of record with the right of cross-examination, should file a Petition to Intervene in accordance with the Commission's Rules of Practice and Procedure on or before August 16, 2007, and indicate the amount of time required for his presentation. Please include an email address for receipt of future Commission correspondence in the Petition to Intervene. Please refer to Docket No. 2007-258-C.

Any person who wishes to testify and present evidence at the hearing, should notify the Docketing Department, in writing, at the address below, the Office of Regulatory Staff at Post Office Box 11263, Columbia, South Carolina 29211, and John J. Pringle, Jr., Esquire, at the above address, on or before August 16, 2007, and indicate the amount of time required for his presentation. Please refer to Docket No. 2007-258-C.

Any person who wishes to be notified of any change in the hearing, but does not wish to present testimony or be a party of record, may do so by notifying the Docketing Department, in writing, at the address below on or before August 16, 2007. Please refer to Docket No. 2007-258-C.

PLEASE TAKE NOTICE: Any person who wishes to have his or her comments considered as part of the official record of this proceeding MUST present such comments, in person, to the Commission during the hearing.

Persons seeking information about the Commission's Procedures should contact the Commission at (803) 896-5100.

Public Service Commission of South Carolina  
Attn:  
Docketing Department  
Post Office  
Drawer 11649  
Columbia,  
South Carolina 29211  
JULY-16-07